

**UNITED STATES DISTRICT COURT**  
**District of Maine**

**DIANE RONEY and PAUL RONEY,  
Plaintiffs**

**V.**

**WENDY'S OLD FASHIONED  
HAMBURGERS OF NEW YORK,  
INC.,**

## Defendant

**Civil No. 05-109-P-S**

**ORDER AFFIRMING THE  
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge filed with the Court on March 20, 2006, her Amended Recommended Decision (Docket No. 52). Defendant filed its Objection to the Recommended Decision (Docket No. 53) on April 6, 2006. Plaintiffs filed their Objection (Docket No. 57) on April 12, 2006.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. Defendant's Request for Oral Argument (Docket No. 55) is DENIED. The Motion to Bar Dr. Pickus' Expert Testimony (Docket No. 35) is DENIED. Plaintiff Diane Roney's Motion to Strike (Docket No. 46) is DENIED and Defendant's Motion for Summary Judgment (Docket No. 34) is DENIED.

/s/ George Z. Singal  
Chief U.S. District Judge

Dated this 18<sup>th</sup> day of April, 2006.

